



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,356	04/06/2000	Brian Totty	50269-036	8053

7590 07/02/2004

Hickman Palermo Truong & Becker LLP
1600 Willow Street
San Jose, CA 95125

EXAMINER

GOLD, AVI M

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 07/02/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/544,356

Applicant(s)

TOTTY ET AL.

Examiner

Avi Gold

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the application filed April 6, 2000. Claims 1-72 are pending. Claims 1-72 represent web portholes: using web proxies to capture and enhance display real estate.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 and 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Landsman et al., U.S. Patent No. 6,317,761.

Landsman teaches the invention as claimed including a technique for implementing browser-initiated user-transparent advertising and for interstitially displaying an advertisement through a web browser (see abstract).

Regarding claim 1, a method for allowing a porthole engine to deliver unrequested content to users that access requested content through the porthole engine, the method comprising the steps of:

receiving, from a browser executing on a client, an initial request for requested content (col. 25, lines 46-63; Landsman discloses a user at a client browser requesting a web page);

wherein said initial request is received at said porthole engine (col. 8, lines 1-40; Landsman discloses a request routed to a proxy server);

wherein said client is connected to a network through said porthole engine (col. 8, lines 1-40; Landsman discloses a client PC connected to a proxy server);

wherein said requested content resides on an origin server located separate from said porthole engine on said network (col. 8, lines 1-40; Landsman discloses a proxy server directing a request to a web server); and

said porthole engine responding to said initial request by sending data to said client that causes said requested content and said unrequested content to appear on a display screen of said client (col. 1, lines 26-35; Landsman discloses advertisements transparently downloaded to a client computer and then displayed by a browser).

Regarding claim 2, the method of Claim 1 wherein web page content of said requested content is modified to encapsulate said requested content within a paneled frame (col. 31, lines 65-67; col. 32, lines 1-49; Landsman discloses a browser displaying content in frames).

Regarding claim 3, the method of Claim 1 wherein web page content of said requested content is modified to reserve space in the web page to display said

unrequested content (col. 31, lines 65-67; col. 32, lines 1-49; Landsman discloses frame-targeted ad play).

Regarding claim 4, the method of Claim 3 wherein the space reserved in the web page is selected from a group consisting of:

the top of the web page;

the bottom of the web page; and

a combination of the top of the web page and the bottom of the web page (col. 31, lines 65-67; col. 32, lines 1-49).

Regarding claim 5, the method of Claim 1 wherein web page content of said requested content is modified to pop-up one or more display windows to display said unrequested content (col. 32, lines 22-49; Landsman discloses a pop-up window with advertisements).

Regarding claim 6, the method of Claim 1 wherein web page content of said requested content is modified to replace a portion of said requested content with the unrequested content (col. 1, lines 26-35; Landsman discloses an advertisement displayed on an interstitial basis).

Regarding claim 7, the method of Claim 1 wherein:

said requested content appears on a first portion of a content display region of said browser (col. 9, lines 53-63; col. 10, lines 61-65; Landsman discloses a requested web page displayed to a user); and

said unrequested content appears on a second portion of said content display region of said browser (col. 9, lines 53-63; col. 31, lines 65-67; col. 32, lines 1-49).

Regarding claim 8, the method of Claim 1 wherein:

said requested content appears on a first display window of said client (col. 9, lines 53-63; col. 10, lines 61-65); and

said unrequested content appears on a second display window of said client (col. 9, lines 53-63; col. 31, lines 65-67; col. 32, lines 1-49).

Regarding claim 9, the method of Claim 1 wherein said porthole engine determines the format in which to display said requested content and said unrequested content based on one or more factors including at least one of differences in browsers, components of requested web pages, and versions of the browsers (col. 21, lines 10-28; Landsman discloses ad selection based on user specific info collected from and associated with the user operating the browser).

Regarding claim 10, the method of Claim 1 wherein the step of sending data to said client includes the step of:

sending frame data to said client ;

wherein said frame data defines a plurality of frames;

wherein said plurality of frames includes a first frame and one or more other frames (col. 31, lines 65-67; col. 32, lines 1-49);

wherein said frame data further specifies that said requested content is to be displayed in said first frame, and that said unrequested content is to be displayed in said one or more other frames (col. 9, lines 53-63; col. 10, lines 61-65; col. 31, lines 65-67; col. 32, lines 1-49).

Regarding claim 11, the method of Claim 10 further comprising the steps of:

the porthole engine receiving a series of subsequent requests from the browser in response to the browser decoding said frame data, said series of subsequent requests including a second request for said requested content (col. 8, lines 41-67; Landsman discloses downloading restarted after another request); and

the porthole engine responding to said second request for said requested content by requesting said requested content from said origin server and delivering said requested content to said browser (col. 19, lines 25-63; Landsman discloses an agent server downloading contents from another server).

Regarding claim 12, the method of Claim 11 wherein said porthole engine determines that said second request for said requested content is not an initial request for said requested content by using information contained in the URL associated with said initial request and with said second request (col. 7, lines 66-67; col. 8, lines 1-40;

Landsman discloses the proxy server providing files from cache to other client PCs if they request the same files).

Regarding claim 13, the method of Claim 10 wherein:

said porthole engine determines that said initial request is not a request for an embedded item by using information contained in the URL associated with said initial request and with said second request (col. 20; lines 58-67; col. 21, lines 1-10;

Landsman discloses an agent checking the URL of a request); and

the step of sending frame data is performed in response to determining that said initial request is not a request for an embedded item (col. 31, lines 65-67; col. 32, lines 1-49).

Regarding claim 16, the method of Claim 1 wherein:

said porthole engine determines that said initial request is not a request for an embedded item by using information contained in the URL associated with said initial request and with said second request (col. 20; lines 58-67; col. 21, lines 1-10); and

said porthole engine sends data that causes said unrequested content to appear on a portion of said content display region of said browser in response to determining that said initial request is not a request for an embedded item (col. 31, lines 65-67; col. 32, lines 1-49).

Regarding claim 17, the method of Claim 1 further comprising the step of using information about a particular user to tailor the unrequested content to that particular user (col. 21, lines 10-28).

Regarding claim 18, the method of Claim 17 wherein the information about the particular user is selected from a group consisting of information available to owners of the porthole engine;

information about the requested content; and

a combination of the information available to the owners of the porthole engine and the information about the requested content (col. 21, lines 10-28).

Regarding claim 19, the method of Claim 1 further comprising the step of identifying the users to personalize the unrequested content (col. 21, lines 10-28; Landsman discloses advertisements specifically targeted to the user).

Claims 25-37, 40-43, 49-62, and 65-67 do not teach or define any new limitations above claims 1-13 and 16-19 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman further in view of Ackermann, Jr. et al., U.S. Patent No. 6,606,653.

Landsman teaches the invention substantially as claimed including a technique for implementing browser-initiated user-transparent advertising and for interstitially displaying an advertisement through a web browser (see abstract).

As to claims 14 and 15, Landsman teaches the method of claim 1.

Landsman fails to teach the limitation further including the changing a target attribute of a link in an embedded frame document to affect frame behavior.

However, Ackermann teaches the updating of embedded links or hotspots in source Web pages to reflect the new URLs of moved target Web Pages (see abstract). Ackermann teaches the use of a URL of a link being changed to point to a new URL (col. 5, lines 25-44).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Landsman in view of Ackermann to change a target attribute of a link. One would be motivated to do so because it would allow for the proper URL of the link to be shown.

Claims 38, 39, 63, and 64 do not teach or define any new limitations above claims 14 and 15 and therefore are rejected for similar reasons.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman further in view of Underwood, U.S. Patent No. 6,704,873.

Landsman teaches the invention substantially as claimed including a technique for implementing browser-initiated user-transparent advertising and for interstitially displaying an advertisement through a web browser (see abstract).

As to claim 20, Landsman teaches the method of claim 19.

Landsman fails to teach the limitation further including the method of Claim 19 wherein the step of identifying the users is performed by a method selected in a group consisting of:

- attaching cookies to web pages that are browsed by a particular user;
- observing the radius authentication transactions and the resulting network address assigned to the client;
- tracking network addresses assigned to the users; and
- authenticating the user.

However, Underwood teaches secure gateway interconnection in an e-commerce based environment (see abstract). Underwood teaches the use of cookie authentication (col. 140, lines 29-46; col. 141, lines 30-45), a RADIUS server performing authentication and allowing traffic from the client (col. 287, lines 65-67; col. 288, lines 1-28), tracking of an IP address (col. 10, lines 3-18), and authenticating the identity of a user (col. 50, lines 34-43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Landsman in view of Underwood to attach cookies to web pages

that are browsed by a particular user, observing the radius authentication transactions and the resulting network address assigned to the client, tracking network addresses assigned to the users, and authenticating the user. One would be motivated to do so because they are all efficient methods of identifying a user and personalizing unrequested content for them.

Claims 44 and 68 do not teach or define any new limitations above claim 20 and therefore are rejected for similar reasons.

6. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman further in view of Markus, U.S. Patent No. 6,499,042.

Landsman teaches the invention substantially as claimed including a technique for implementing browser-initiated user-transparent advertising and for interstitially displaying an advertisement through a web browser (see abstract).

As to claims 21-23, Landsman teaches the method of claim 1.

Landsman fails to teach the limitation further including the automatically filling in one or more fields on a requested web page by using a database coupled to the porthole engine.

However, Markus teaches an improved process that allows an entity to automatically release personal data to other entities connected via a computer network (see abstract). Markus teaches the use of a selective proxy server for automatically filling in an online form and a personal data storage component used to for the information to fill the forms in with (col. 1, lines 40-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Landsman in view of Markus to automatically fill in one or more fields on a requested web page by using a database coupled to the porthole engine. One would be motivated to do so because it would allow the user to fill in forms without entering anything.

Claims 45-47 and 69-71 do not teach or define any new limitations above claims 21-23 and therefore are rejected for similar reasons.

7. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landsman further in view of Shapiro et al., U.S. Patent No. 5,991,810.

Landsman teaches the invention substantially as claimed including a technique for implementing browser-initiated user-transparent advertising and for interstitially displaying an advertisement through a web browser (see abstract).

As to claim 24, Landsman teaches the method of claim 1.

Landsman fails to teach the limitation further including the use of a content filtering technology based on identities of the users.

However, Shapiro teaches user name authentication for gateway clients accessing a proxy cache server (see abstract). Shapiro teaches the use of automatically restricting access by unauthorized users to specified web information (col. 1, lines 56-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Landsman in view of Shapiro to use a filter to allow only authorized

Art Unit: 2157

users access to particular web pages. One would be motivated to do so because it would allow a way to make certain web pages exclusive.

Claims 48 and 72 do not teach or define any new limitations above claim 24 and therefore are rejected for similar reasons.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,854,897 to Radzewicz et al.

U.S. Pat. No. 6,128,655 to Fields et al.

U.S. Pat. No. 6,338,059 to Fields et al.

U.S. Pat. No. 6,466,975 to Sterling.

U.S. Pat. No. 6,128,651 to Cezar.

U.S. Pat. No. 6,636,247 to Hamzy et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 703-305-8762.

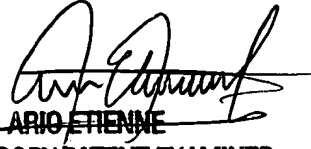
The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold
Patent Examiner
Art Unit 2157

AMG


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100